

**BEHAVIORAL SCIENCES REGULATORY BOARD
BOARD MEETING MINUTES
FEBRUARY 8, 2023**

APPROVED MINUTES

- I. Call to Order and Roll Call.** The meeting was called to order by Chair Mary Jones at 10:00 a.m.

Board Members. Board Members present by Zoom: Mary Jones, David Anderson, Donna Hoener-Queal, Jim Kilmartin, Jacqueline Lightcap, Johnna Norton, Andrea Perdomo-Morales, Ric Steele, Cynthia Schendel, and Deb Stidham. Richard Nobles and Laura Shaughnessy were absent.

Staff. BSRB Staff present via Zoom: David Fye and Leslie Allen. Jared Langford, legal counsel for the Board from the Kansas Department for Aging and Disability Services was present via Zoom.

- II. Agenda Approval:** David Anderson moved to approve the agenda as written. Donna Hoener-Queal seconded. The motion passed.

III. New Business

- A. Review of Legislation Relating to the BSRB.** David Fye, Executive Director for the BSRB, provided an overview of 2022 Legislature relevant to the BSRB.

- i. **HB 2153 Concerning Human Trafficking.** HB 2153 would add a new annual requirement of anti-human trafficking training for certain individuals, including all individuals authorized to practice by the BSRB. This training would be provided by the Attorney General's office and the training was expected to be free and available by electronic means. The Board recommended that, if the agency was able to provide testimony at a hearing on the bill, neutral testimony should be provided with an amendment that the training match the license renewal period of 2 years, rather than annual training, and be required only for individuals with a permanent license.
- ii. **HB 2239 Concerning Continuing Education for Licensing Boards.** HB 2239 would require boards that determine qualification for licensure to issue an exemption from continuing education, for any licensee that self-certifies they performed no less than 1,000 hours in the lawful occupation during a license period. The Board strongly recommended opponent testimony, if this bill received a hearing.
- iii. **HB 2257 Concerning Licensure for Music Therapists.** HB 2257 would create licensure for music therapists under the Board of Healing Arts. The Board requested the Executive Director speak to the Executive Director for the Board of Healing Arts concerning the origin of the bill and report back to

the Board.

- iv. **HB 2258 Concerning Conversion Therapy.** HB 2258 would define conversion therapy and prohibit the use of conversation therapy on minors by a person licensed by the BSRB or other select licensing bodies. The Board recommended monitoring the bill and reporting back if there was further action by the Legislature this session.
- v. **HB 2337 Concerning the Telehealth Advisory Committee.** HB 2337 would establish the Kansas Telehealth Advisory Committee and identify 22 voting members. It was noted that none of the 22 members would be appointed by the BSRB. The Executive Director noted he will continue to monitor this bill.
- vi. **Appropriations Bills.** The Executive Director noted the House and Senate pass an appropriations bill each legislative session, which includes expenditure limitations for the BSRB. The BSRB's budget was heard by the House Higher Education Budget Committee and the Senate Transparency and Ethics Committee. In the House, the budget passed out of Committee with a proviso that prohibits the BSRB from spending money in FY 2024 and FY 2025 to adopt or impose a condition of obtaining or renewing a license or permit any incentive or requirements that applicants for such licensure or permit undergo, demonstrate familiarity with, or support any training, education, or instructional program that includes diversity, equity, inclusion, anti-racism, critical race theory, or other related topics. The Executive Director noted the agency does not currently require such training, however if any of those items should pass in a bill before the legislature, the agency would not be able to enforce those new requirements. The Executive Director noted he would monitor any changes and provide updates to the Board.
- vii. **BSRB Bills.** The Executive Director stated two bills with identical language (HB 2340 and SB 176) were requested on behalf of the BSRB, based on recommendations by the Board. Copies of both bills are posted on the BSRB website. HB 2340 will be heard by the House Health and Human Services Committee on Monday, February 13, 2023.

B. Consideration of Agreement for Expert Review Services. The Executive Director stated that, due to the different methods by which individuals may qualify for licensure under the BSRB, the agency contracts with experts for certain educational equivalency reviews. However, the number of experts the Board has been able to identify for this purpose is less than the rate by which the agency is receiving applications needing this level of review. The Board previously received information on services by the Center for Credential and Education (CCE). The Executive Director spoke to licensing bodies contracting with CCE and received positive reports. The Executive Director asked the Board for authority to enter into a contract with CCE, for an amount not to exceed \$5,000, for the review of certain applications. Jim Kilmartin to grant authority for this contractual agreement. Dave Anderson Seconded. The Motion passed.

IV. Adjournment. The Meeting was Adjourned.